GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Department of Tribal Welfare – Appeal Petition filed by Sri Janni Srinivasa Rao S/o Lakshmaiah, R/o Voni Village, Palakonda Mandal, Srikakulam District under Section 7(2) of the Act16 of 1993 against the proceedings Rc.No.1906/2002 C1, dated 03.01.2018 of the District Collector, Srikakulam, in cancellation of his ST-'Jatapu' caste certificate – Appeal Petition dismissed - Orders - Issued.

DEPARTMENT OF TRIBAL WELFARE (CV)

G.O.MS.No. 15 Dated: 18-07-2025
Read the following:-

1. Proceedings of the District Collector, Srikakulam, Rc.No.1906/2002 C1, dated 03.01.2018.
2. Appeal Petition filed by Sri Janni Srinivasa Rao S/o Lakshmaiah, through his Counsel, before the Government on 29.01.2018.
3. Govt. Memo No.1019780/CV.2/2018, date 21.02.2018, 21.03.2018 & 08.08.2018.
4. From the District Collector Srikakulam, Lr.Rc.No.1906/2002 C1, dated: 22.06.2018.
5. Govt. Memo No.1019780/CV.2/2018, dated: 17.09.2018, 27.12.2018, 09.01.2019 & 23.01.2019.
6. Govt. Memo No.1019780/CV.2/2018, dated: 13.08.2019, 28.08.2019, 09.10.2019, 13.11.2019, 08.08.2023, 06.10.2023, 06.12.2023, 26.09.2024, 29.01.2025 &11.03.2025.

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ORDER:

In the Proceedings 1st read above, the Collector & District Magistrate, Srikakulam had issued orders cancelling the ST-'Jatapu' Caste Certificate of Sri Janni Srinivasa Rao S/o Lakshmaiah, R/o Voni Village, Palakonda Mandal, Srikakulam District.

2. In the reference 2nd read above, Sri Janni Srinivasa Rao S/o Lakshmaiah, has filed Appeal Petition before the Government against the Proceedings of the Collector & District Magistrate, Srikakulam. After examining the said Appeal Petition, Government while admitting the said appeal has granted stay as prayed for by the appellant and Para-wise remarks on the grounds filed by the Appellant along with connected records were called for from the Collector & District Magistrate, Srikakulam vide Govt. Memo 3rd read above.

3. In the letter 4th read above, the Collector & District Magistrate, Srikakulam has furnished the para-wise remarks on the Appeal Petition filed by Sri Janni Srinivasa Rao S/o Lakshmaiah.

4. The said Appeal Petition has been posted for hearing before the Hon'ble Appellate Authority on several dates and final hearing was held on 22.03.2025 duly informing the hearing communication to the Appellant and the Counsel for the Appellant. During the course of the hearing, the Appellate Authority verified the records/ the copies of evidences/ academic record/ grounds filed by the Appellant/ written arguments submitted by both parities/ Para-wise remarks submitted by the Collector & District Magistrate, Srikakulam and proceedings of the District Collector, Srikakulam dated.03.01.2018, the Appellate authority has observed that;

i. The appellant Sri Janni Srinivasa Rao has filed this appeal petition before Government against cancellation of his ST-Jatapu Caste Certificate vide Proceedings Rc.No.1906/2002C1,dated.03.01.2018 issued by the District Collector, Srikakulam District at present Parvathipuram Manyam District and after thoroughly observing the material available placed by the Applicant and all the material placed by the District Collector, Srikakulam District at present Parvathipuram Manyam District and upon the following the rules and regulations, passed the following Orders on the Appeal Petition filed by the Appellant as hereunder.

ii. The order of the District Collector and District Magistrate, Srikakulam District at present Parvathipuram Manyam District in proceedingsRc.No.1906/2002, dated: 03.01.2018 are not contrary to the facts of the case and after perusing the material on record of the case, the order passed by the District Collector, Srikakulam District at present Parvathipuram Manyam District are not liable to be set aside. The District Collector, Srikakulam placed all the material on record and passed an order of canceling the caste certificateon proper enquiry and submitted a report after detailed enquiry. As per his report, the Appellant obtained Job as a Teacher and working in

[P.T.O]

GVVK in Kotam Village of Seethampeta Mandal, Present: Vizianagaram District in ST-Jatapu quota by producing bogus caste certificate. The Appellant Janni Srinivasa Rao has not filed any documentary evidence in support of his claim. He stated that his father Durga Prasad Maha Patro native of Voni Village and he misrepresented that he belongs to ST-Jatapu Caste. The Father of the Appellant is the native of Voni Village of Palakonda Mandal and belongs to Oriya Brahmin (OC) community and he married one Nimmaka Somulamma who belongs to ST Jatapu Community of Voni Village and blessed the Appellant and 3 others. The Petitioner has produced the unregistered deed dated.18-04-1986 and stated that he was adopted to Sri Janni Latchumayya of Parasapadu Village of Parvathipuram Mandal who belongs to ST-Jatapu. It is elicited that the Appellant Janni Srinivasa Rao has been admitted in 1st Class in M.P. Elementary School, Voni as his name Srinivasa Mahapatro S/o Durgarao with date of birth 25-07-1977 and left the school in 5th class on 30-06-1988. Again on 26-08-1986 he directly admitted in 2nd class in GTWA School, Baddumasingi as his name Janni Srinivasa Rao, S/o Janni Lakshmayya and relieved on 03-08-1988 in his 3rd Class in APTWR School (PTG), Mali Village as his name Janni Srinivasa Rao, S/o Lakshmayya and studies continued upto 10th class and further intermediate course in A.P. Residential junior College, Seethampeta. The Appellant belongs to Oriya Brahmin caste but fraudulently obtained ST-Jatapu Caste Certificate. The District Collector, Srikakulam District at present Parvathipuram Manyam District conducted enquiry about the Caste of the Appellant and referred the same to the District Level Scrutiny Committee. The RDO, Palakonda in Rc.No.1316/2004 E dt.30-12-2005 reported that as per the plea of Appellant his father Durga Prasad Mahapatro, native of Voni Village of Palakonda Mandal. The father of Srinivasa Rao i.e. Sri Durga Prasad Mahapatro belongs to Oriya Brahmin (OC) but he adopted to his uncle (Peddananna) Mother's Sister family i.e. JanniLakshmayya. But the Adoption was not according to Act and not registered as per clause 25, Article 366 of Constitution of India and therefore the caste status of the Appellant is a Bogus one. The RDO, Palakonda Mandal also submitted his detailed report. It is also observed that the Dy. Director, Social Welfare, Srikakulam has also opined that the appellant Jannisrinivasa Rao belongs to Oriya Brahmin community but not ST- Jatapu Community. Even though the Appellant claimed that he belong to ST-Jatapu Community, he has not produced any proof for establishing his Caste. The District Collector, Srikakulam District at present Parvathipuram Manyam District has opined that the Appellant does not belong to schedule Caste and the ST-Jatapu Status obtained by the Appellant is liable to be cancelled.

iii. The District Collector, Srikakulam District at present Parvathipuram Manyam District conducted detailed enquiry which clearly depicting the facts that the Appellant do not belong to ST-Jatapu Caste. Further, the Tribal Communities or parts of or groups within tribes or tribal communities, specified in parts I to X 22 of the Schedule to the 1950 Order shall, in relation to the Stated to which those parts respectively relate, be deemed to be Scheduled Tribes so far as members thereof, resident in the localities specified in relation to them respectively, in those parts of the Schedule. As per those Orders, the Appellant Janni Srinivasa Rao has not belong to ST-Jatapu Caste. As per the Report of the Tahsildar, Palakonda village of Voni Village where the family of Appellant alleged to have been residing, The DLSC met and observed that this is a case of adoption from Oriya Brahmin (OC) to Jatapu (ST) parents. Actual parents of the claimant is not valid and hence the DLSC has recommended for cancellation of ST-Jatapu Caste Certificate of Janni Srinivasa Rao of Voni Village, Palakonda Mandal.All the Certificates filed by the Appellant clearly goes to show that his surname as Mahapatro but not Janni. All the enquiries reveals that the Appellant belong to Oriya Brahmin (OC) Caste. As per constitution (Scheduled Tribes) Order, 1950, it is noticed that Appellant Janni Srinivasa Rao is a fraudulent and he misrepresented that he belongs to ST-Jatapu. The Principles laid down as per Law and notifications and after thorough enquiries and on complete exercise of merits on the material available on record, and other facts admitted by Appellant Janni Srinivasa Rao, it is decided that the Appellant is not ST-Jatapu Caste. It is unexplained by the Appellant that as to how he characterized himself as ST-Jatapu Caste.

iv. The Appellant did not produce any substantiate evidence that he belong to "Jatapu" (ST) community, in exercise of the powers conferred under Section 5(1) of A.P. (SC/ST/BC) Regulation of issue of Community Certificates Act,16/1993 read with rule 9(7) of G.O.Ms.No.58,Dt.12-05-1997, the Jatapu (ST) caste certificate dt.18-1-1997 obtained the Appellant is liable to be cancelled. Thus it is noticed that

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the Appellant Janni Srinivasa Rao does not belong to Scheduled Tribe Caste and isnot eligible for ST Status and his Caste Certificate is liable to be cancelled. The DLSC also determinate of community status and communicate the result of the caste of the Appellant and DLSC, in its meeting unanimously opined that the Respondent do not belong to ST-Jatapu but belongs to Oriya Brahmin (OC) caste.

v. The matter also placed before District Level Scrutiny Committee, and notices in Form No.V as contemplated in Act, 16/93 was issued. Further all notices were served upon the Appellant Janni Srinivasa Rao through proper channel and the appellant also appeared before DLSC.There are so many enquiries conducted with regard to the Caste of the Appellant whether he belong to ST-Jatapu or not. It is noticed that all family members of Appellant belongs to Oriya Brahmin (OC) caste. The RDO and Tahsildar have examined all the aspects i.e. with regard to customs and other ceremonies of the Appellant. They have examined all the records of the appellant and they deliberately concluded that the Caste certificate crystal clearly goes to show that is not Genuine.

vi. The District Collector, Srikakulam District Present Parvathipuram Manyam District rightly passed Orders of canceling the caste certificate of the appellant and the Scrutiny Committee also enquired into the matter about the genuineness of the caste certificate of the appellant and submitted the detailed report to cancel the Caste Certificate of the Appellant. It is an admitted fact that either the Appellant or his Parents are not the Belong to ST-Jatapu Community.

vii. The District Collector & Magistrate, Srikakulam District at Present Parvathipuram Manyam District followed the procedure as per Rules of Andhra Pradesh (Scheduled Caste,Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, and cancelled the caste certificate of the appellant. The District Collector & Magistrate, Srikakulam District at Present Parvathipuram Manyam District rightly enquired about the fact that the appellant got the appointment as aTeacher basing on false caste certificate as such the appellant Janni Srinivasa Rao is not entitled to seek employment on the ground that he do belong to ST-Jatapu caste. The appellant do not belong to ST-Jatapu caste and there is no such proof that he belong to such Scheduled Tribe Caste. Thus the Appellant who is aware of legal position adequately has nothing to secure in that direction in future, and this order also concludes that his prayer at any point cannot be allowed of being ST-Jatapu in future. There is no scrap of paper to show that he has absolute evidence of claiming to be ST-Jatapu Schedule Tribe Certificate and the sole point is determined that he belongs to Oriya Brahmin (OC) Caste which is considered as Forward Class Category.

viii. In view of the above and exercise the powers conferred U/S. 5(1) of A.P. (SC/ST/BC) Regulation of issue of community certificate 16/1993 r/w Sub-rule (7) of Rule 9 of A.P. (SC/ST/BC) for issuance of Community Nativity and date of Birth Certificate Rules, 1997 communicated vide G.O.Ms.No.58, Social Welfare (J) Department, Dated.12.05.1997, the interpretation of being ST-Jatapu Certificate obtained by the Appellant Janni Srinivasa Rao on misrepresentation of facts by he obtained caste and scheduled area certificates, by his well known facts of being Oriya Brahmin (OC) Community. The Caste of Janni Srinivasa Rao as ST-Jatapu was proved as bogus and is hereby declared that the delinquent does not belong to “ST-Jatapu”, which falls under ST Community. The Appellant belongs to forward Class Category only, for which he is rightly eligible. In and as such the proceedings of District Collector, Srikakulam District at Present Parvathipuram Manyam District are liable to be confirmed. The District Collector & Magistrate, Srikakulam District at Present Parvathipuram Manyam District correctly considering the material on record that as per the reports of Tahsildar& RDO and Scrutiny Committee and enquiry of DLSC and all the records established that the caste of the Appellant is not belongs to Scheduled Tribe, Jatapu caste. All the Records with regard to the caste of the Appellant clearly goes to show that the caste of the Appellant is not ST-Jatapu. The District Collector, Srikakulam District at present Parvathipuram Manyam District rightly came to the conclusion that the caste of the appellant as ST-Jatapu is contrary to law and fact and hence this appeal is liable to be dismissed.

ix. In the Result, the Appeal Petition filed by the Appellant is dismissed.

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5. Government, after careful examination of the appeal petition and the circumstances stated supra and in exercise of the powers conferred under Section 7(2) of A.P. Scheduled Castes, Scheduled Tribes and Backward Classes Regulation of Issue of Community Certificates Act,1993 (Act 16 of 1993), and rules made thereunder, decide that the appeal petition filed by Sri Janni Srinivasa Rao S/o Lakshmaiah does not deserve any interference. Hence, the proceedings Rc.No.1906/2002 C1, dated 03.01.2018 of the Collector & District Magistrate, Srikakulam are hereby upheld and the appeal petition filed by Sri Janni Srinivasa Rao S/o Lakshmaiah is hereby dismissed.

6. The Collector & District Magistrate, Srikakulam is directed to take necessary consequential action in the matter, as per the A.P.(Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act,1993 (Act 16 of 1993), and the rules made thereunder.

7. The records (Rc.No.1906/2002 C1,dated 03.01.2018 containing pages (1-341) received from the Collector & District Magistrate, Srikakulam are returned herewith in original to the Collector & District Magistrate, Srikakulam and he is requested to acknowledge the receipt of the same to Government immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.M. NAYAK
SECRETARY TO GOVERNMENT (FAC)

To
The Collector & District Magistrate, Srikakulam
(With Original Records) **(BY RPAD)**
.
Sri JanniSrinivasa Rao, S/o Lakshmaiah,
R/o Voni village, Palakonda Mandal,
Srikakulam District-532440**.(By RP)**

M/s. K. Kishore Kumar,
A. Rama Krishna, K. Suryaprakasa Rao, Counsels,
24-20-21, Bapuji Road, Madhura Nagar, Vijayawada-520 011.

Copy to:

The District Educational Officer, Srikakulam District.
(for information)

The OSD to Hon'ble M(W&CW, TW).
The PS to Secretary(TW).
Sf/Sc(E-363274)

// FORWARDED:: BY ORDER //

SECTION OFFICER